

Serial No. 10/014,959
Filed: December 11, 2001

REMARKS

Reconsideration is requested in view of the above amendments and following remarks. Claims 1-63 were pending in the subject application. Hereinabove, claims 1 and 20 have been amended and claims 39, 54-61, and 63 have been cancelled. Accordingly, claims 1-38, 40-53, and 62 are pending in the subject application.

The Patent Office restricted the application under 35 U.S.C. § 121 and made final the restriction. Merely to expedite prosecution, applicants have hereinabove amended claims 1 and 20 and cancelled claims 39, 54-61, and 63 to comply with this restriction requirement. Applicants are concurrently filing a divisional application directed to the restricted out subject matter.

Applicants appreciate the Patent Office acknowledgement that claims drawn to solely to the elected group would be allowable if the objections were overcome. Applicants' amendments are maintained to place the application in condition for allowance.

Claims 28, 31, 33, 36, 38, 46, 48, 50, and 53 were objected to as allegedly being substantial duplicates of the claims from which they depend. This is not correct. The claims upon which the mentioned claims are dependent the compound of formula (VII) being a particular compound. Thus, these claims literally include the particular compound plus its pharmaceutically acceptable salts and esters. In contrast, the mentioned claims are literally directed to the compound *per se*. Therefore, the mentioned claims are not substantial duplicates of the claims from which they depend. Withdrawal of this objection is earnestly solicited.

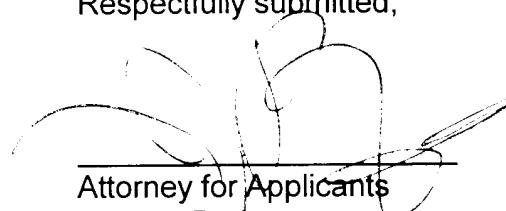
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Reconsideration is requested in view of applicants' above amendments and remarks. Issuance of a Notice of Allowance is earnestly solicited.

If a telephone conference would be of assistance in furthering prosecution, applicants request that the undersigned attorney be contacted at the number below.

No fee is required in connection with the filing of this Amendment. If any fees are deemed necessary, authorization is given to charge the amount of any such fee to Deposit Account No. 08-2525.

Respectfully submitted,



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